

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

Plaintiff,

-against-

PETER LIOUNIS,

Defendant.

-----X
GLASSER, United States District Judge:

MEMORANDUM AND ORDER
12 CR 350 (ILG)

The defendant was charged in an eighteen count indictment with conspiracy to commit mail and wire fraud, mail fraud, wire fraud, securities fraud, money laundering conspiracy and money laundering.

He has presented, *ex parte*, for the Court's signature, two subpoenas: one for issuance to EZ Pass Subpoena Compliance and the other to JFK Advanced Medical PC. The first requires the production by EZ Pass of all records for his 2012 Volkswagen and video recordings of a customer service location at a given address on Staten Island. The other requests his complete medical file from 4/17/2012.

Subpoenas for documentary evidence in a criminal case is governed by Rule 17(c) Fed. R. Cr. P. The party requesting the issuance of a subpoena requiring the production of documents must show:

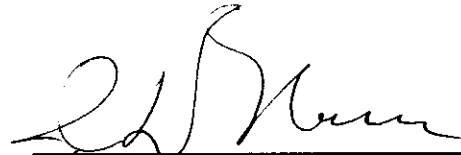
- (1) That the documents sought are evidentiary and relevant;
- (2) That they are not otherwise procurable in advance of trial;
- (3) That he cannot properly prepare for trial without such production in advance of trial;
- (4) That the application is made in good faith and is not a fishing expedition.

United States v. Iozia, 13 F.R.D. 335, 338 (S.D.N.Y. 1952). To satisfy that test, the party seeking the subpoena “must clear three hurdles: (1) relevancy; (2) admissibility; (3) specificity.” United States v. Nixon, 418 U.S. 683, 700 (1974).

The defendant has made no showing of either and his request is denied.

SO ORDERED.

Dated: Brooklyn, New York
July 23, 2013



I. Leo Glasser

Filed by ECF and a copy mailed to:

Peter Liounis
48332-054
Box 329002
Brooklyn, NY 11232

AO 89 (Rev. 08/09) Subpoena to Testify at a Hearing or Trial in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America)

v.)

Peter Liounis) Case No. 12cr00350

Defendant)

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: EZ Pass Subpoena Compliance
2 Broadway 24th floor
N.Y., N.Y. 10004
ATTN: Cindy Dugan

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: United States District Court
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Courtroom No.: Judge I. Leo Glasser #8B south

Date and Time: *For the with*

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Certified documents of all records for PETER LIOUNIS vehicle 2012 Volkswagan N.Y. plate FJR 2762 account opened on 4/17/2012 as well as any receipts and method of payment. Provide any and all video recorded of the interior and exterior of the customer service location located at 1150 South Ave Staten Island N.Y. on 4/17/2012. If commanded items are not provided you must provide a certified letter detailing the reasons for non compliance. This subpoena may be complied with by mailing said items directly to Judge Glasser's courtroom.

So ordered *X*

(SEAL)

Date:

CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (*name of party*)

Peter Liounis

, who requests this subpoena, are:

Peter Liounis PRO SE

AO 89 (Rev. 08/09) Subpoena to Testify at a Hearing or Trial in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America)

v.)

Peter Liounis) Case No. 12cr00350

Defendant)

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: JFK Advanced Medical PC
75 N. Hangar RD Suite 247 - 249
Jamaica, N.Y. 11430

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: United States District Court
225 Cadman Plaza East
Brooklyn, N.Y. 11201

Courtroom No.: Judge I. Leo Glasser #8B south

Date and Time: *For the with*

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Certified documents of the complete medical file on PETER LIOUNIS from 4/17/2012. If commanded items are not provided you must provide a certified letter detailing the reasons for non compliance. This subpoena may be complied with by mailing said items directly to Judge Glasser's courtroom.

So ordered *X*

(SEAL)

Date:

CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Peter Liounis, who requests this subpoena, are:

Peter Liounis PRO SE